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Electronic Products Access for Libraries: What Some Companies are Doing to Help With Site Licenses

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This issue's topic is a continuation of the "Electronic Journal Access for Libraries: What Some Companies are Doing to Help, Parts I and II," which appeared in the November 1995 and February 1996 issues of *Against the Grain*. The issue of site licenses for electronic products is fast becoming an important one for libraries. It is also a source of confusion to many. Some vendors are providing services to help librarians deal with the thorny issues concerning site licenses. Several companies (**B. H. Blackwell, Basch Subscriptions, The Faxon Co., and Readmore Inc.**) share what services they offer, whether they perform any

type of advocacy role for libraries, what costs are required for their services, and what they see as the vendor's role in the site license market as well as possible future trends in this area.

Question 1: What services does your company have to facilitate the site license process for libraries acquiring materials in electronic/digital formats (such as CD-ROMs, electronic journals, files/databases, etc.)?

Answers from Martin Marlow, Electronic Services Manager, B.H. Blackwell, Ltd.; Amira Aaron, Coordinator, Automation and Product Development, Readmore, Inc., and Marilyn Geller, Internet Product Specialist, Readmore, Inc.

Blackwell's and Readmore work with libraries and publishers in a number of ways to facilitate the site license process. Activity in the past has centered on formats such as tape and CD-ROM. Blackwell's **CD Complete Service** addresses libraries' need for multiple access to networked CD-ROMs. Up to this point, electronic journal subscriptions have been mostly free, and thus vendors have not been heavily involved. In the case of the transitional model of electronic subscriptions offered free of charge on the basis of a paid print subscription, we have worked to advise our clients of this option and to supply them with the necessary information required by publishers as proof of paid print subscriptions. This environment is rapidly changing and we now spend an increasing amount of time working with libraries in the set-up and management of their electronic database and journal subscriptions. In order to establish correct pricing and licensing parameters with the publisher, the vendor needs to be aware of the volume, level and geographic conditions of use of the data at an institution or among several institutions. This requires initial and ongoing consultation and negotiation with both the library and the publisher in a way that we have not previously been involved. We are now able to offer concrete assistance to libraries in areas beyond the traditional ordering and claiming of materials, and certainly the negotiation and interpretation of site licenses is at the top of the list of these new vendor services. The entire area of site licenses for electronic publications is so new that there is quite a bit of leeway in negotiating these contracts.

Publishers as well as libraries are exploring a wide range of issues including the definition of a site and its users, various models

of distribution and/or access, and levels of service. There is presently a great deal of customization and negotiation possible. Some publishers do not wish to negotiate with individual libraries at all; instead, they work with vendors and/or library consortia. Others prefer to deal directly with individual institutions, and in these cases, we act in an advisory capacity to our clients. One of the areas which we have been exploring lately is the formation of consortia among our clients in common geographical regions for volume pricing and licensing.

Members of our staff in publisher services and contract services have solid experience in the development and interpretation of site license contracts and they are available to help a library at various stages of negotiation. We work with our clients to help them to understand a document in clear terms, as well as advising them on changes which would be to their benefit. Our task of managing and consolidating subscription services for both libraries and publishers is creating the opportunity (as well as new challenges) for us to deal with more issues such as site licenses and electronic distribution and delivery.

Answer from N. Bernard Basch, CEO, Basch Subscriptions:

Thank you for contacting Basch Subscriptions for information about services to assist libraries in negotiating site licenses for electronic publications. Our company does not currently provide such services, nor do we anticipate doing so in the future.

As a long-time member of the serials community, I am very uncomfortable with the suggestion that subscription agencies (or book jobbers, for that matter) have a legitimate role to play in this arena. To me it's a little like having hardware vendors advise you on which automated library system would best suit your needs.

My concerns include: 1) The potential for conflict of interest, based on factors such as differential discount rates for electronic and print versions of a title, and differential pricing (and thus discounts) based on the number or terms of licensing agreements. 2) The likely extent and durability of the knowledge vacuums fostered by such an approach when, for example, a subscription agency representative "goes to bat" for a library with less than a full understanding of the intricacies and detail of the library's network of financial, user, and peer relationships, and the staff of the library being represented hand off responsibility for learning about licensing, and electronic publishing. 3) Liability for any legal implications resulting from an inappropriate or unsuitable negotiation.

Answer from Ronald E. Akie, Executive Vice President and General Manager, The Faxon Company, Inc., Massachusetts Service Center:

Faxon has handled standard licenses for databases and CD-ROMs routinely as part of our subscription service. We retain all relevant pricing, configuration and other information within our Catalog to identify the appropriate license for each client. As the number of electronic journals and databases available through specifically tailored site licenses increases, libraries and publishers alike have asked us to help administer the process. Traditionally, we have done this on an ad hoc basis through a specialized internal group, but we are now exploring ways to handle these site licenses more routinely. Through new models, such as **Academic Press'**

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IDEAL site license, we are testing various site license options for the 1997 subscription year.

Answer from Albert Prior, Production Development Manager, Swets United Kingdom LTD.:

At Swets we are currently a considerable way through the development phase of a major new service, **SwetsNet**. This will offer libraries and end users a single source for ordering and accessing the growing numbers of fulltext subscription-based online journals. The service is based on the concept of aggregating serials titles from a wide range of publishers, with agreements now being established. Such agreements will ensure that our customers are able to use electronic versions of publishers' titles on their campuses, in a way that is beneficial for them whilst protecting the rights and requirements of publishers.

Earlier this year the Pilkington Library at **Loughborough University** in the UK was awarded funding under the terms of the **Electronic Libraries Programme** (a programme financed by the **Higher Education Funding Councils**) to explore the factors involved in converting short loan articles into electronic format and their usage by library students. Swets was invited to join the 18-month project, which was called **ACORN (Access to Course Reading via Networks)**, in order to investigate and undertake the digitization of the articles (well over 1000) and also to establish procedures for obtaining copyright permission from publishers for electronic use of their material. The aim of the project is to produce a model which can be used by libraries worldwide who wish to make short loan material available electronically on campus networks. The investigations include reviewing the existing licenses and contracts which could be used in our dealing with publishers, and it is clear that a variety of agreements are currently in use and that there is a need for some level of standardization.

It is also apparent from various digitization projects, and early work in ACORN, that the time needed for discussions and negotiations with publishers should not be underestimated, as many publishers are only gradually establishing policies for this type of transaction. The results of the project will be of great benefits to the library community and also to us at Swets, in terms of the future services we shall increasingly be offering to our customers.

Question 2) Do you perform any type of advocacy role for libraries regarding site licenses? If so, please describe.

Answers from Martin Marlow, Amira Aaron, and Marilyn Geller:

We see our role as a subscription agency in general as being very much an advocate with the publishing community for our clients — libraries and information centers. We also feel strongly that it is important to communicate the needs of each party to the other in order to create more satisfactory agreements. Issues which we deal with certainly cover payment and licensing of all types of materials, and increasingly material in electronic and digital formats. The area of site licenses for CD-ROM is more well-defined at this point, and both Blackwell's and Readmore have worked with publishers for years in the development of models of information delivery in these formats which would work well for libraries. Now, publishers as well as libraries are in a beginning, experimental phase of the electronic delivery of information over the Internet. Our publisher services staff, as well as high-level managers, are once again participating with publishers and libraries in a constantly evolving new arena of publishing and information access. We see our role as listening carefully to our clients and advising publishers as to the needs and demands of libraries for electronic information delivery. As an example, we offer seminars and training sessions to publishers in the area of electronic journals; we participate in national and international committees and conferences on this subject; and we

hire staff from both libraries and publishing organizations with growing expertise in these areas.

Answer from N. Bernard Basch: No.

Answer from Ronald E. Akie:

We have advocated individually with publishers on behalf of libraries regarding site licenses, just as we did in the early days of CD-ROM licenses. Recently, we have taken an active role in the STM Group initiative to address site license issues industry-wide in the hope that broader efforts can help drive standardization — and therefore efficiency — within the industry.

Answer from Albert Prior:

We are also participating in a project with the Library of the **University of Tilburg** in The Netherlands to assist them in obtaining electronic versions of the number of journals they currently subscribe to in print. Tilburg is one of the leading electronic libraries in Europe with an innovative approach to serving its users and highly developed campus IT infrastructure. It already makes available a wide range of electronic services across the university, including fulltext versions of a number of **Elsevier** serials. Within this project we have the responsibility to negotiate with publishers with regard to acquiring electronic texts and the license to use the data.

It is clear that more and more libraries will be undertaking digitization projects and acquiring a greater proportion of material in electronic form; site licenses will become increasingly common and have a direct impact, therefore, not only on library procedures but also on those agents. Indeed in our discussions with two major publishers, they have indicated their wish for us to develop new site license possibilities with them on behalf of our customers worldwide. The expertise we are gaining through the above projects is enabling us to tailor our services increasingly to reflect these developments.

At the practical level we are already very involved in license administration on behalf of our customers. Much of this has grown out of our long-standing service for CD-ROM subscriptions, as many of the database suppliers require licenses to be completed by libraries on behalf of rights of owners, and specific hardware and software requirements have to be specified for each order. Here we offer advice and assistance, as well as the distribution point for license completion. This is part and parcel of the work involved in handling electronic subscriptions for our customers. Fulltext Internet-based serials are now starting to grow dramatically and publishers generally require user registration to be completed and passwords to be distributed, prior to permitting access. Procedures have been set up in our processing departments to ensure that this operates smoothly and that we can provide the necessary support and advice. An Electronic Media Department at our Head Office in The Netherlands acts as the focal point for these developments, for monitoring trends and providing support to the customer service groups and our Title Information Center.

Question 3) What costs are involved for these services? Please describe.

Answers from Martin Marlow, Amira Aaron, and Marilyn Geller:

At present there are no special costs associated with facilitating the site license process for libraries acquiring materials in electronic/digital formats. The normal service charge includes such support at this time. In the future, as this type of arrangement becomes more and more frequent and agents experience a significant increase in the workload of professional publisher services and legal staff, we imagine that appropriate costs associated with this type of service will need to be assessed.

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Answer from N. Bernard Basch:
Not applicable.

Answer from Ronald E. Akie:

Until now, we have handled site licenses as an adjunct to our basic subscription services, with no special charges. As site licenses proliferate, we will need to re-visit the economic model of serving as an intermediary to determine both where we can add value and how we can be fairly compensated for those services. Standardization and simplicity in the site licensing process can help all parties contain the costs.

Answer from Albert Prior:

Late last year, the **Higher Education Funding Council** in the UK signed an agreement with four major scholarly publishers (**Academic Press, Blackwell Science, Blackwell Publishers** and the **Institute of Physics**) for a **National Site License for serials** for UK universities. The contract allows for unlimited use of electronic versions of publishers' serials at a discounted price. This is a unique experiment, particularly a license at a national level and a formal evaluation of the experiment will take place by the HEFCE, who have recently awarded a contract for evaluation. We are watching the development with interest. Such a radical change in serials acquisitions has an impact on Swets and other subscription agents in terms of changes necessary to systems and procedures to ensure uninterrupted service and access to material.

Question 4) What do you see the vendor's role to be in the site license market; what are possible future trends in this area?

Answers from Martin Marlow, Amira Aaron, and Marilyn Geller.

We foresee the future role of vendors to be increasingly one of library advocate, facilitator and negotiator in the area of electronic access to materials. **Blackwell's** and **Readmore** are active participants in the testing and implementation of a new service, **Blackwell's Electronic Journal Navigator**. One of the goals of this service is to allow Blackwell's and Readmore to offer libraries and their end users electronic access to publications in a simple and consistent manner, and to manage the entire process, including licensing, payment, authorization, subscriptions, document delivery, etc. At the same time, we are testing in a real environment alternative methods of electronic delivery, payment and licensing. Working collaboratively with both publishers and libraries, we expect to come up with models which are beneficial to both parties.

The traditional role of the subscription agent for printed materials has been that of middleman between libraries and publishers, facilitating the management of serial publications on both sides. Systems such as **Blackwell's Electronic Journal Navigator** effectively extend this role to the electronic environment and offer to libraries and publishers much-needed help in the area of information delivery and management. As well, the expertise of our staff will increasingly be applied to electronic access services such as the negotiation and interpretation of site licenses and contracts.

Answer from N. Bernard Basch:

Initial negative reactions aside, what activities are appropriate for vendors in this arena? With electronic media as with print subscriptions, a knowledgeable customer is your best customer. As libraries purchase more electronic products and access services, subscription agencies and jobbers can contribute for fostering the exchange of information and ideas on electronic publishing and access, site licenses and agreements, and pitfalls and pointers. Workshops, conference sessions, Internet list, WWW resource pages

spring to mind as valuable tools in the battle against licensing illiteracy.


Answer from Ronald E. Akie:

Vendors can help negotiate and administer site licenses. It is also conceivable that vendors can play a role as the initiator, or perhaps even the lead, of a consortia for specific site licenses. In such a role, we would help structure the distribution channel, to the benefit of both libraries and publishers.

Answer from Albert Prior:

Licensing for the use of electronic texts is a growing issue in terms of our relationship with libraries and we see it as an area which will increasingly occupy us in the future.

In September [1996], Swets will be participating in a meeting in London of the Steering Group of the **ECUP, the European Copyright User Platform**. ECUP was set up with funding from by the European Union to promote awareness amongst librarians of copyright issues and to create a forum for discussion between libraries and rights holders. The aim of the meeting is to continue dialog already started earlier this year to achieve a better understanding of the positions of the various players.

ECUP plans to prepare a position paper on User Rights in Electronic Publications and in particular the Heads of Agreement for Site Licenses for the Use of Electronic Publications. It will focus both on publications which are already available electronically from publishers and also publications not available in electronic format, but digitized by the library. Our involvement in this meeting, which will include representatives of publishers and collecting societies, will enable us to provide reliable and up-to-the-minute assistance and advice to our customers in an area which is complex and ever evolving. 

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